

Equality and Human Rights Screening Template

February 2016



Department of
**Agriculture and
Rural Development**

www.dardni.gov.uk

DARD Equality and Human Rights Screening Template

DARD has a statutory duty to screen. This includes our strategies and plans, policies, legislative developments; and new ways of working such as – the introduction, change or end of an existing service, grant funding arrangement or facility. This screening template is designed to help business areas consider the likely equality and human rights impacts of their proposed decisions on different groups of customers, service users, staff and visitors.

Before carrying out an equality screening exercise it is important that you have received the necessary training first. To find out about the training needed, contact - equalitybranch@dardni.gov.uk. All screening exercises must be supported by evidence and cleared at Grade 3 level. The accompanying [Screening Guidance](#) note provides straightforward advice on how to carry out equality screening exercises. Detailed information about the Section 75 equality duties¹ and what they mean in practice is available on the Equality Commission's website.

The screening template has 4 sections to complete. These are:

Section A - asks you to provide details about the policy / decision that is being screened.

Section B - has 4 key questions that require you to outline the likely impacts on equality groups, and all supporting evidence.

Section C - has 4 key questions in relation to obligations under the Disability Discrimination Order and the Human Rights Act.

Section D - is the formal record of the screening decision.

¹ ECNI 'Section 75 of the NI Act 1998: A Guide for Public Authorities' April 2010. www.equalityni.org

Section A

Details about the policy / decision to be screened

Title of policy / decision to be screened:-

Options for future support to Areas of Natural Constraint (ANC)

Brief description of policy / decision to be screened:-

The following are considered as the options for future ANC support:

- **Option 1:** Do nothing - the ANC claim made in 2016 and paid in 2017 would be the last.

(a) Pillar I options

- **Option 2a:** An ANC Scheme in Pillar I from the 2017 claim year using 5% of the Pillar I budget annually.
- **Option 2b:** A transitional ANC Scheme in Pillar I for the 2017 and 2018 claim years using 5% and 3% of the Pillar I budget across the respective years.

(b) Pillar II option using funds from Pillar I

- **Option 3:** A Pillar II ANC Scheme for the claim years 2019 and 2020 funded by a Pillar I to Pillar II budget transfer.

(c) Hybrid between Pillar I and Pillar II options

- **Option 4:** A transitional ANC Scheme in Pillar I for the 2017 and 2018 claim years, followed by a Pillar II ANC Scheme for the claim years 2019 and 2020, the latter funded by a Pillar I to Pillar II budget transfer. This option is, in effect, Option 2b and Option 3 combined.

(d) Options involving additional national funds

- **Option 5a:** An ANC Scheme in Pillar II funded by an additional £20 million per annum from the NI Executive.
- **Option 5b:** A transitional ANC Scheme in Pillar II for the 2017 and 2018 claim years funded from the NI Executive.

Aims and objectives of the policy / decision to be screened:-

To consider the options for specific ANC income support interventions given the changes to other income support payments from CAP Pillar I and the potential changes to ANC designation.

On whom will the policy / decision impact?

Consider the internal and external impacts (both actual or potential)

- Staff – depending on the preferred option there may be future changes required to the procedure for applying for support. Staff may have to be trained regarding new support mechanisms for ANC and changes may need to be made to IT infrastructure or alternatively staff may no longer have to administer an ANC Scheme.
- Service users – depending on the preferred option, applicants may find themselves applying for a new type of support or face no longer being able to avail of specific ANC support.
- Rural community – recipients of specific ANC support are overwhelmingly resident in rural areas.
- Other public sector organisations
- Voluntary / community groups / trade unions
- Others – depending on the preferred option form fillers may need to become familiar with any new replacement ANC support mechanism. Key stakeholder organizations will have a role to play in ensuring that claimants are aware of new arrangements.

Are there linkages to other NI Departments / NDPBs?

No

Section B

1. What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories? What is the level of impact?

Section 75 category	Details of likely impact	Level of impact? Minor/Major/None
Religious belief	Potential differential impact from redistribution of support. However, this is minor – at its extreme there is a 1.25% shift in CAP income support (Pillar I + ANC) at aggregate level from Protestants to Catholics.	Minor for all options
Political opinion	Equality Commission monitoring guidelines for public authorities suggest that community background/religion is a reasonable proxy indicator for the unionist/nationalist divide. Applying this principle to the likely impact of the options under consideration suggests that, as detailed under Religious Belief, there could be small differential impacts on those of differing political opinion.	Minor for all options
Racial group	Category should not be affected.	None
Age	The EU Farm Structure survey 2013 ² stated that the median age for farmers in Northern Ireland in 2013 was 58 years. The 2001/2 Social Survey data indicated that there was a high degree of similarity in terms of age profile between farms in the SDA, DA and lowland farms and the general farming population. Therefore, any of the options pursued will not adversely affect any particular age category and if it did the aggregate effect is so small that the category	None

²<https://www.dardni.gov.uk/sites/default/files/publications/dard/fss-2013.pdf>

	should not be affected.	
Marital status	The Social Survey indicated that there was a slightly higher prevalence of single farmers/business partners on SDA cattle and sheep farms than in other farm categories. However, at aggregate level this effect is so small the category should not be affected.	None
Sexual orientation	Category should not be affected.	None
Men and women generally	Historically farming is a male dominated occupation and it follows that the Review is more likely to impact on more males than females. However as the Social Survey indicated that the distribution of farmers by gender is similar across all farm types and size the Department, therefore, considers that none of the policy options under consideration will have a differential impact based on gender.	None
Disability	The Social Survey indicated that whilst a high proportion of farmers (27%) suffered from a long standing illness or disability, there was relatively little difference by farm type or size.	None
Dependants	The Social Survey indicated that whilst almost three quarters of households supported by family farms included one or more dependents, there was no indication of any significant difference by farm type or size. This indicates that the category should not be affected by any of the options under consideration.	None

2. Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories?

Section 75 category	If Yes, provide details	If No, provide reasons
Religious belief		There is no facility in the Review to better support equality of opportunity.
Political opinion		As above
Racial group		As above
Age		As above
Marital status		As above
Sexual orientation		As above
Men and women generally		As above
Disability		As above
Dependants		As above

3. To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion or racial group? What is the level of impact?

Good relations category	Likely impact?	Level of impact? Minor/Major/None
Religious belief	None	None
Political opinion	None	None
Racial group	None	None

4. Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?

Good relations category	If Yes, provide details	If No, provide reasons
Religious belief		There is no facility in the Review to better promote good relations.
Political opinion		As above
Racial group		As above

Available evidence

What evidence / information (both qualitative and quantitative) have you gathered to inform this policy? Set out all evidence below along with details of the different groups you have met and / or consulted with to help inform your screening assessment.

Section 75 category	Details of evidence / information and engagement
Religious belief	<p>The 2011 Census of Northern Ireland³ found that 42% of the population belonged to one of the main Protestant Christian Churches, 41% of the population belonged to the Roman Catholic Church and 17% did not belong to either religious belief.</p> <p>The Social Survey conducted in 2001/02 reported that 54% of farms were owned by a member of the Protestant community and 44% of farms were owned by a member of the Catholic community. Compared to the average a higher proportion of small farms were headed by a member of the Catholic community, whereas the opposite was the case for large farms. There were differences in the community background of farmers by type and size of farm. Farmers in the SDA were predominantly Catholic, those in the DA were broadly 50:50 Catholic : Protestant and farmers in the lowland were predominately Protestant. The proportions of dairy and other types of farms (other than cattle and sheep) in the SDA were low and farms of these types and sizes were predominately Protestant.</p> <p>In late 2011, the Department commissioned an equality monitoring exercise of around 37,800 SFP applicants to gather informative data about the claimants and their access to the Internet and availability of broadband. Attempts were made to analyse these data. However, as the response rate to the exercise was extremely low, no reliable analysis was possible. The Department is currently involved in a research project that</p>

³ <http://www.ninis2.nisra.gov.uk/public/census2011analysis/index.aspx>

	<p>will map data from the 2011 Population Census with Farm Business Survey data, however it is unlikely that any initial indicators/findings from this research will become available until mid 2016 at the earliest.</p> <p>The main consultation document presents data derived from claims to the Basic Payment and ANC Schemes in 2015 and the 2014 Agricultural Census. This was used to identify the potential effects and influences, at aggregate level, of the seven options presented. The actual effects will, of course depend on the collective decisions taken by individual claimants when a decision is taken and implemented.</p> <p>On-going engagement on support to ANC is taking place with key stakeholders to share information and to develop a common understanding of the issues. We will continue to engage with stakeholders and listen to their views. No equality issues have been raised, to date, from any stakeholder.</p>
Political opinion	<p>The Northern Ireland Life and Times Survey⁴ found that 25% of the Northern Ireland population described themselves as nationalist, 32% as unionist and 40% had no political opinion. There are no data on the political opinion of farmers other than by using Religious Belief as a proxy.</p> <p>See response on Religious Belief for details of engagement with stakeholders.</p>
Racial group	<p>The 2011 Census of Northern Ireland found that over 98% of the population state their ethnic origin to be white. The 2001/2 Social Survey showed that the farming population was overwhelmingly white. In light of the tradition of farms passing from generation to generation within families, this is unlikely to change for the foreseeable future.</p> <p>See response on Religious Belief for details of engagement with stakeholders.</p>
Age	<p>The 2011 Census of Northern Ireland showed that around 25% of the population was 55 years or older and around 47% were under 35 years old.</p> <p>The EU Farm Structure Survey 2013⁵ showed that the median age for farmers in Northern Ireland in 2013 was 58 years. The 2001/2 Social Survey data indicated that there was a high</p>

⁴ <http://www.ark.ac.uk/nilt/2014/index.html>

⁵ <https://www.dardni.gov.uk/sites/default/files/publications/dard/fss-2013.pdf>

	<p>degree of similarity in terms of age profile between farm types.</p> <p>See response on Religious Belief for details of engagement with stakeholders.</p>
Marital status	<p>The 2011 Census of Northern Ireland showed that around 48% of the population were married or in a civil partnership. The 2001/2 Social Survey showed that marital status was similar across all farm types. It showed that around 73% of all farmers were married and living with a wife/husband. There was a slightly higher prevalence of single farmers/business partners on SDA cattle and sheep farms than in the other farm categories. The 2001/2 Social Survey finding was supported by the 2010 EU Farm Structure Survey, which found that 32% of all Northern Ireland farmers had no spouse.</p> <p>See response on Religious Belief for details of engagement with stakeholders.</p>
Sexual orientation	<p>There are no data on the number of lesbian, gay or bisexual (LGB) persons in Northern Ireland as no national census has ever asked people to define their sexuality. However, according to the 2012 Northern Ireland Life and Times Survey, 98% of people in Northern Ireland are heterosexual and 1% are homosexual. There are no data on sexual orientation of farmers.</p> <p>See response on Religious Belief for details of engagement with stakeholders.</p>
Men & women generally	<p>The 2011 Census of Northern Ireland showed that 51% of the population were male and 49% female. There is a larger gap between the genders within the farming population. The 2010 EU Farm Structure Survey showed that female workers accounted for 23% of the total workforce and 6% of farms were managed by women. It also showed that, where a farmer has a spouse, 45% of those spouses contributed to the work on the farm. Research has further shown that “up to 50% or more of women [on farms] work off the farm and in many cases, the primary motivation is to provide supplemental income to the farm income, in order to continue farming”⁶.</p> <p>The 2001/2 Social Survey shows that most farmers/business partners (85%) were male. SDA and DA cattle and sheep farms (which are the predominant type of farm in the LFA, particularly the SDA) were no different from the general farming population in this respect.</p>

⁶ Shortall, S. (2003). Women in Rural Areas in NI: A Policy Discussion Document. The Rural Community Network NI, Cookstown.

	See response on Religious Belief for details of engagement with stakeholders.
Disability	<p>The 2011 Census of Northern Ireland showed that around 12% of the population found their day to day activities to be limited a lot due to a disability and around 9% found their activities limited a little.</p> <p>The 2001/2 Social Survey concentrated on long term health of farmers. Around 19% of farmers reported a long term illness or disability which limited their work to some extent. A further 7% reported a disability which did not limit their work activities. The 2001/2 Survey showed that the incidence of disability was similar across all farm types.</p> <p>See response on Religious Belief for details of engagement with stakeholders.</p>
Dependants	<p>The 2011 Census of Northern Ireland showed that around 49% of family households had one or more dependent children. The 2001/2 Social Survey revealed that a higher proportion of farm families included one or more dependents;</p> <ul style="list-style-type: none"> - 39% with children under 16 or 16-18 in full time education - 14% with a member claiming a disability related benefit; - 32% with a household member aged 65 or over; and - 73% with any of the above. <p>The 2001/2 Social Survey showed a high degree of similarity between farms with or without dependents across all farm types.</p> <p>See response on Religious Belief for details of engagement with stakeholders.</p>

No evidence held? Outline how you will obtain it:

We have sought to obtain further information on the characteristics of farm households from a DARD research project that will map Farm Census data with data from the Northern Ireland 2011 population census. However, these data will not be available until at least mid 2016.

Section C

DARD also has legislative obligations to meet under the [Disability Discrimination Order](#) and [Human Rights Act](#) (insert links) Questions 5 -9 relate to these two areas.

Consideration of Disability Duties

5. Does this proposed policy / decision provide an opportunity for DARD to better **promote positive attitudes** towards disabled people?

Explain your assessment in full

No.

There is no facility to promote positive attitudes towards disabled people.

6. Does this proposed policy / decision provide an opportunity to actively **increase the participation** by disabled people in public life?

Explain your assessment in full

No.

There is no facility to actively increase the participation by disabled people in public life.

Consideration of Human Rights

7. The Human Rights Act (HRA) 1998 brings the European Convention on Human Rights (ECHR) into UK law and it applies in N Ireland. Indicate below (place an X in the appropriate box) any potential *adverse impacts* that the policy / decision may have in relation to human rights issues.

Right to Life	Article 2	<input type="checkbox"/>
Prohibition of torture, inhuman or degrading treatment	Article 3	<input type="checkbox"/>
Prohibition of slavery and forced labour	Article 4	<input type="checkbox"/>
Right to liberty and security	Article 5	<input type="checkbox"/>
Right to a fair and public trial	Article 6	<input type="checkbox"/>
Right to no punishment without law	Article 7	<input type="checkbox"/>
Right to respect for private and family life, home and correspondence	Article 8	<input type="checkbox"/>
Right to freedom of thought, conscience and religion	Article 9	<input type="checkbox"/>
Right to freedom of expression	Article 10	<input type="checkbox"/>
Right to freedom of peaceful assembly and association	Article 11	<input type="checkbox"/>
Right to marry and to found a family	Article 12	<input type="checkbox"/>
The prohibition of discrimination	Article 14	<input type="checkbox"/>
Protection of property and enjoyment of possessions	Protocol 1 Article 1	<input type="checkbox"/>
Right to education	Protocol 1 Article 2	<input type="checkbox"/>
Right to free and secret elections	Protocol 1 Article 3	<input type="checkbox"/>

Consideration of Human Rights (cont)

8. Please explain any adverse impacts on human rights that you have identified

No adverse impact identified.

9. Please indicate any ways which you consider the policy positively promotes human rights

None

Monitoring Arrangements

Section 75 places a requirement on DARD to have equality monitoring arrangements in place in order to assess the impact of policies and services etc; and to help identify barriers to fair participation and to better promote equality of opportunity.

Outline what data you will collect in the future in order to monitor the impact of this policy / decision on equality, good relations and disability duties.

Equality	Good Relations	Disability Duties
<p>The consultation will issue to a range Section 75 groups. Comments from any of the Section 75 groups are welcome, especially if any group considers that it is significantly affected by the proposal. Once a final option is chosen a decision can be made on what data we should collect in order to monitor the outcome of the review.</p>	<p>None</p>	<p>None</p>

Section D

Formal Record of Screening Decision

<p>Title of Proposed Policy / Decision being screened</p> <p>Options for future support to Areas of Natural Constraint</p>

I can confirm that the proposed policy / decision has been screened for –

✓	equality of opportunity and good relations
✓	disabilities duties; and
✓	human rights issues

On the basis of the answers to the screening questions, I recommend that this policy / decision is –

*place an X in the appropriate box below

<input type="checkbox"/>	*<u>Screened In</u> – Necessary to conduct a full EQIA
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<input type="checkbox"/>	<p>*<u>Screened Out</u> – No EQIA necessary (no impacts)</p> <p>Provide a brief note here to explain how this decision was reached:</p> <ul style="list-style-type: none"> Please note that a ‘screened out’ decision must be accompanied by a sound rationale and relevant empirical evidence to show the basis upon which a screened out decision has been reached.
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<input checked="" type="checkbox"/>	<p>* <u>Screened Out - Mitigating Actions</u> (minor impacts)</p> <p>The effects at Northern Ireland level of the seven options for future support to Areas of Natural Constraint will not have a differential impact because of an individual’s racial group, age, marital status, sexual orientation, gender, disability or whether or not he/she has dependents. The options will have a minor differential impact at aggregate level because of religious belief.</p> <p>An analysis comparison across options has shown that in no case does the shift in source/payments amount to more that 1.25% in any given year.</p> <p>The redistribution of income support payments in Pillar I mitigates the effect of all options presented.</p>
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Formal Record of Screening Decision (cont)

Screening assessment completed by (Staff Officer level or above) -

Name: Rosemary Agnew

Grade: 7

Date: 2 February 2016

Branch: Policy Development Branch

Signature:

R. Agnew

Screening decision approved by (must be Grade 3 or above) -

Name: Louise Warde hunter

Grade: 3

Date: 8 February 2016

Branch: CPG

Signature:

Louise Warde Hunter

For more information about equality screening, go to -

http://dardintranet/coord_intranet/EqualityBranch/index.shtml

Or contact –

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equalitybranch@dardni.gov.uk.



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